

**VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF HAMPTON, PART IV**

**JONES, BLECHMAN, WOLTZ & KELLY, P.C.,**

**Plaintiff**

**v.**

**Case No.: CL06-0110**

**NIKOLAI I. SINKINE,**

**Defendant.**

**AFFIDAVIT**

This day personally appeared before me, the undersigned Notary Public for the Commonwealth of Virginia at Large, Bryan H. Schempf, Esquire, who after being duly sworn, states as follows:

1. I was the attorney in the firm of Jones, Blechman, Woltz & Kelly, P.C., who represented Nikolai I. Sinkine ("Sinkine") in his complaint for divorce against Tatyana A. Babakaeva ("Babakaeva"), collectively referred to as "the parties."

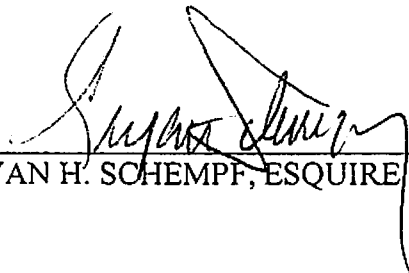
2. Upon information and belief, Paul H. Wilson, Esquire, is holding the sum of \$92,291.07 in his trust account, which sum represents the balance of the proceeds from the sale of the former marital residence.

3. Based on the actions of Sinkine and Babakaeva, I believe the parties intend to gain possession of the funds being held by Mr. Wilson and to remove these funds out of the Commonwealth so that there will not be sufficient property to satisfy a judgment in favor of Jones, Blechman, Woltz & Kelly, P.C. against Sinkine, within the meaning of Virginia Code § 8.01-534(A)(3). I also believe Sinkine and/or Babakaeva intend to remove, secret or otherwise dispose of these funds so as not to be forthcoming to answer a final judgment in favor of Jones, Blechman, Woltz & Kelly, P.C. and against Nikolai I. Sinkine, within the meaning of Virginia Code § 8.01-534(B)(1).

4. By letter dated March 28, 2008, Sinkine and Babakaeva jointly requested that the funds being held by Paul Wilson, Esquire be released to them on the argument that the Hampton Circuit Court did not retain jurisdiction over this marital property under the Decree of Divorce entered on June 19, 2007 in the matter of Sinkine v. Babakaeva, Hampton Circuit Court case number CL06-0110.

5. This letter followed a Special Appearance by counsel for Babakaeva on February 27, 2008, who objected to a petition to enforce a charging lien filed by me on behalf of Jones, Blechman, Woltz & Kelly, P.C. against any property due to Sinkine or which might be awarded to him in equitable distribution with reference to the marital funds being held in trust by Paul Wilson, Esquire.

6. The facts set forth above are true and accurate to the best of my knowledge and belief.


  
BRYAN H. SCHEMPF, ESQUIRE

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF NEWPORT NEWS, to-wit:

I, the undersigned, a Notary Public in and for the Commonwealth of Virginia at Large, in the City/County aforesaid, do hereby certify that BRYAN H. SCHEMPF, ESQUIRE, whose name is signed to the above Affidavit, personally appeared before me in the City and State aforesaid, and made oath that the Affidavit is true and correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 21st day of May, 2008.

AMELITA C. REIDER  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #284801  
My Commission Expires 1-31-2011

  
Notary Public

My commission expires: January 31, 2011

(#434600)

I certify that the documents to which this authentication is affixed are true copies of a record in the Newport News Circuit Court, that I have conducted the search, and that I am the custodian of the record.

Alex A. Davis, Clerk

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By  D.C.